

VICTIM SERVICES

ATTORNEY GENERAL'S VICTIM/WITNESS ASSISTANCE PROGRAM

The criminal justice process can be complicated, confusing and even intimidating for victims and witnesses of crime. Victims and witnesses often have many questions about what is required of them as cases move through the judicial system. They have the right to understand the process and to be notified of court dates and other case-related proceedings. The Attorney General's Victim/Witness Assistance Program provides case notification and victim services statewide through specially-trained Social Workers and Victim Service Specialists who assist criminal prosecutors.

Delaware's Victim's Bill of Rights entitles victims to be notified of and to participate in the criminal justice process. It requires that they be notified of the following:

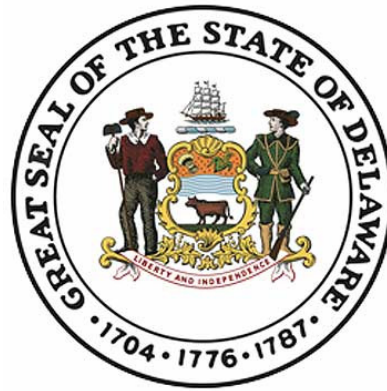
- When a defendant is released on bail, the amount of bail, and any conditions of bail
- Court events, possible plea agreements, outcome of the case, projected prison release dates, and any sentence modification
- If a conviction is reversed on appeal
- Parole and Pardon Board hearing dates
- Procedures to follow if the offender threatens or intimidates them
- If the offender escapes from a correctional facility

Note: if the police recovers your stolen property they will keep it as evidence until after the trial.

VIOLENT CRIMES COMPENSATION BOARD

Delaware's Violent Crimes Compensation Board can assist innocent victims of violent crime who suffer personal injury (bodily harm or extreme mental suffering). It may provide limited compensation for property loss or damage. To obtain an application for financial assistance please contact the Board at (302) 995-8383. You must file an application within one (1) year of the crime.

A GUIDE TO VICTIM RESOURCES IN DELAWARE



Protecting Victims & Witnesses of Crime

COURT PROCEEDINGS & ORDERS

ARRAIGNMENT

A court hearing where charges are read to the defendant and he/she enters a plea of guilty, not guilty, or no contest. This public hearing is held in the court that will later hear the trial. Victims are not required to attend this hearing.

BAIL REVIEW HEARING

A court hearing to determine if bail should be reduced, should stay the same, or should be increased. This hearing is open to the public. No plea will be taken at a bail review. Victims are not required to attend this hearing. Hearings are scheduled only after the court receives a bail review motion from the defendant.

CASE REVIEW

A court hearing where the prosecutor and defense attorney discuss the case. The defendant may plead guilty at this time.

PRELIMINARY HEARING

A court hearing to determine whether there is enough evidence against the defendant to proceed to trial. This hearing is open to the public. Victims are not required to attend unless they receive a subpoena. (See glossary for definition)

SENTENCING HEARING

A court hearing at which convicted defendants are sentenced for their crimes. Victims may choose to make written or oral statements at this hearing.

TRIAL

A court hearing where the prosecution calls witnesses and introduces evidence to try to prove that the defendant is guilty of the crime with which he/she is charged. The defendant has the right to introduce evidence of his/her innocence and to have witnesses testify on his/her behalf. A jury or judge will determine whether or not the defendant is guilty beyond a reasonable doubt.

PROTECTION FROM ABUSE ORDERS (PFA)

A court order that offers protection for the following domestic violence victims:

- Married couples
- Divorced couples
- Married but separated couples
- Men & women living together with or without children in the household.

If you fall into one of these categories and are the victim of domestic violence, call the Attorney General's Victim/Witness Services Unit for more information. If you are in immediate danger, dial 911.

NO CONTACT ORDERS

A no-contact order requires that the defendant have no contact with the victim or victims in a case. This includes contact in-person, by telephone or mail, or arranging for other people to make contact with the victim on the defendant's behalf. When no-contact orders are issued, a copy of that order and a victim letter are provided to the victim by the Attorney General's office. If you observe a violation of any court order, call 911 and show the copy of the order and the Attorney General's victim letter to the responding police officer.

Learn more about victim services provided by the Attorney General's office by visiting:
<http://www.attorneygeneral.delaware.gov/crime/crimeprevent.shtml>

Learn more about court proceedings by visiting:
<http://courts.delaware.gov>

GLOSSARY

CAPIAS
An arrest warrant issued by a court when a defendant does not appear in court as required.

DEFENDANT
The person charged with a criminal offense.

DETAINED
The defendant is held in prison before trial because he or she cannot raise the amount of bail set by the Court or the Court has denied a request for bail.

FELONY
The most serious type of criminal offense, including robbery, murder, and unlawful sexual intercourse.

MISDEMEANOR
A less serious type of criminal offense, including terroristic threatening and offensive touching.

RESTITUTION
The money the Court orders a convicted defendant to pay to the victim for losses or damages that resulted from the crime. Restitution is ordered at the sentencing hearing. In most circumstances defendants will pay restitution in either full or monthly payments to the Court, which in turn pays the victim.

SUBPOENA
A Court order requiring an individual to appear at a hearing.

VICTIM’S COMPENSATION FUND FINE
Under Delaware law, a portion of criminal and traffic offense fines (currently 18% of the fine) is paid to the Violent Crimes Compensation Board. This money is made available as compensation to victims of violent crime.

TYPES OF BAIL
Money or another type of security the Court requires the defendant to pay to ensure that he/she attends all required Court hearings. Bail can be set in several forms:

- **SECURED**
Money or property the defendant signs over to the Court to cover the amount of bail set by the Judge. This money or property may be forfeited if the defendant fails to appear in Court as required.

- **UNSECURED**
Money or property that does not have to be signed over to the Court by the defendant. If the defendant fails to appear for Court, the unsecured bail amount will be owed to the court by the defendant.

- **CASH SECURED**
Cash bail means that only cash or a money order can be posted. No property will be accepted.

- **UNSECURED WITH CO-SIGNER**
A second person, usually a family member of the defendant, is required to sign the defendant’s bond along with the defendant. If the defendant fails to appear for Court, the co-signer is then responsible for the amount of bailed owed to the Court.

- **10%**
In some cases the judge will permit the defendant to post 10% of the amount of the original bail is cash or property.

- **RELEASE ON OWN RECOGNIZANCE**
The defendant is allowed to sign himself/herself out of custody. Although no money or property is at stake, if the defendant fails to appear for his Court, a capias can be issued for his or her arrest.

- **RELEASE TO PARENTS/GUARDIAN**
Juvenile defendants may be released to the custody of his or her parents.

- **RELEASE TO HOME CONFINEMENT**

CONTACT INFORMATION

VICTIM SERVICE ORGANIZATIONS
Prevent Child Abuse Delaware
Statewide.....(302) 425-7490 or 1-866-925-7223
Rape Crisis/Contact
New Castle County.....(302) 761-9100
Kent & Sussex Counties.....1-800-262-9800
Survivors of Accident and Murder
New Castle County.....(302) 654-6833
Kent & Sussex Counties.....1-800-287-6423
People’s Place
Sussex County.....(302) 422-8033
Child Inc.
New Castle County.....(302) 762-8989
Domestic Violence Hotline
New Castle County.....(302) 762-6110
Kent & Sussex Counties.....(302) 422-8058
Número para asistencia.....1-800-262-9800
Delaware Council on Crime & Justice/Elderly Crime Victim Program
New Castle County.....(302) 658-7174
DE Legal Helpline
Statewide.....1-800-773-0606
Families in Transition
Kent & Sussex Counties.....(302) 422-8058
North Kent County.....(302) 678-3886
MADD (Mothers Against Drunk Driving)
Statewide.....1-877-630-6233

GOVERNMENT RESOURCES
Adult Protective Services
(Department of Health and Social Services)
1-800-223-9074
Victim Notification System (VINE Program)
1-877-338-8463
Division of Family Services
(Child Protective Services)
1-800-292-9582 (statewide report line)
Violent Crimes Compensation Board
(302) 995-8383
U.S. Attorney’s Office Victim/Witness Program
(federal cases) (302) 573-6277
Board of Pardons
(302) 739-4111

ATTORNEY GENERAL’S OFFICE
Victim/Witness Services Unit
New Castle County.....(302) 577-8500
Kent County.....(302) 739-4211
Sussex County.....(302) 856-5353
Toll Free.....1-800-870-1790
Consumer Protection Unit (ID Theft)
Toll Free.....1-800-220-5424

POLICE AGENCY VICTIM SERVICES
Delaware State Police Victim Center
1-800-VICTIM-1
Dover Police Victim Services Program
(302) 736-7134
Georgetown Police Victim Services
(302) 856-6613
New Castle County Police Victims Program
(302) 395-8135
(Número para asistencia) (302) 395-8117
Newark Police Victims Program
(302) 366-7110
Wilmington Police Victims Program
(Major Crimes) (302) 576-3622
(Domestic Violence) (302) 576-3640
(Número para asistencia) (302) 576-3665

COURT INFORMATION
Justice of the Peace Court Case Notification
New Castle County.....(302) 577-8500
Kent & Sussex Counties.....1-800-870-1790
Superior Court Case Notification
New Castle County.....(302) 577-8500
Kent County.....(302) 739-4211
Sussex County.....(302) 856-5353
Superior Court Case Scheduling
New Castle County.....(302) 255-0730
Kent County.....(302) 739-5353
Sussex County.....(302) 856-5525
Superior Court Pre-Sentence Office
New Castle County.....(302) 255-0590
Kent County.....(302) 739-5275
Sussex County.....(302) 856-5549